



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

October 24, 2023

By ECF

The Honorable Lewis A. Kaplan
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *United States v. Samuel Bankman-Fried, S6 22 Cr. 673 (LAK)*

Dear Judge Kaplan:

The Government writes regarding the trial schedule for this week. Last week, the Government indicated that it had several witnesses remaining and expected to rest some time Thursday morning. Following that representation, the Court assented to the defense's request to begin its case following the lunch break. Since then, the Government has further streamlined its case, and now anticipates calling at most only one witness, FBI Special Agent Marc Troiano, whose direct testimony is approximately thirty minutes or less, and consists principally of authenticating a summary chart. The Government has been in discussions with the defense about entering a stipulation about the summary chart, which would obviate the need for Special Agent Troiano's testimony entirely. Alternatively, the Government is seeking a stipulation from the defense regarding chain of custody of certain electronic devices, which—if agreed upon—will at the very least shorten Special Agent Troiano's testimony to about fifteen minutes.

The Government therefore respectfully requests that the defense be required to begin its case after the Government rests, which in all events will be soon after the start of the trial day. The parties will have had six days to prepare for the upcoming trial days and the Government is mindful of optimizing the use of the jury's time. The defense has provided the Government a list of six potential witnesses for the week. In the Government's view, the interest of trial efficiency weighs heavily in favor of moving trial along.

The Government raised this proposal with the defense on Monday, October 23. The defense informed the Government this afternoon that it opposes this request.

In addition, the Government respectfully requests that if the defense rests on Thursday or Friday morning, that the Court hold a charge conference on Friday afternoon, so that the parties can proceed to closing arguments on Monday morning.

Respectfully submitted,

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Cc: Counsel of Record (via ECF)